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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9 BOARD OF TRUSTEES OF THE CEMENT
10 MASON AND PLASTERERS JOINT
11 PENSION TRUST; BOARD OF TRUSTEES
12 OF THE CEMENT MASON AND
13 PLASTERERS HEALTH AND WELFARE
14 TRUST; BOARD OF TRUSTEES OF THE
15 CEMENT MASON AND PLASTERERS
16 VACATION SAVINGS PLAN TRUST;
17 BOARD OF TRUSTEES OF THE OPERATIVE
18 PLASTERERS AND CEMENT MASON
19 INTERNATIONAL ASSOCIATION LOCAL
20 797 APPRENTICE AND JOURNEYMAN
21 TRAINING TRUST; BOARD OF TRUSTEES
22 OF THE OPERATIVE PLASTERERS AND
23 CEMENT MASON INTERNATIONAL
24 ASSOCIATION TRAINING FUND,

CASE NO.: 2:23-cv-01065-RFB-
EJY

**STIPULATION TO DISCLOSE
PAYROLL RECORDS AND TO
STAY CASE AS TO
DEFENDANT CAL ELECTRO
INC. FOR A PERIOD NOT TO
EXCEED 60 DAYS**

Plaintiffs,

vs.

CAL ELECTRO INC., a California corporation;
DOES 1-10 & ROES 1-10,

Defendants.

IT IS HEREBY STIPULATED AND AGREED between the Parties to this
Stipulation (Plaintiffs and Defendant Cal Electro, Inc. ("CAL")), as follows:

1 1. CAL, acting through its duly-appointed President, E. Robert Meissner,
2 acknowledges that it was served with a copy of the Summons and Complaint in this action on
3 July 27, 2023, as shown by the Affidavit of Service filed with the Court (ECF No. 5);
4

5 2. CAL has not yet filed an answer, responsive pleading, or otherwise appeared
in this action;

6 3. CAL acknowledges that one form of relief sought by the Plaintiffs in this Case
7 is an Order compelling CAL to disclose to Plaintiffs certain information, including payroll
8 records covering CAL's operations for the for the time period of August 1, 2020 through
9 June 30, 2022 (the "Records");
10

11 4. CAL has not disclosed the Records to the Plaintiffs and declares that it prefers
12 to promptly and informally disclose the Records to Plaintiffs' counsel rather than appearing
13 immediately in the Case and disclosing the Records through formal discovery proceedings;

14 5. The Parties have therefore executed this Stipulation intended to stay the Case
15 as to CAL for a period of not more than sixty (60) days from the date on which the fully
16 executed Stipulation is filed by Plaintiffs with the Court (the "Stay"), during which period of
17 time CAL shall disclose the Records to Plaintiffs' counsel and Plaintiffs shall endeavor to use
18 the Records to complete a compliance review of CAL's payroll practices;

19 6. While the Parties agree that Plaintiffs may cause the Stay to terminate early by
20 notifying CAL of Plaintiffs' desire to terminate the Stay in an email sent to E. Robert
21 Meissner (cyndel@calelectroinc.com), the Stay may be extended beyond sixty (60) days only
22 by written Order of the Court;

23 7. Upon approval of this Stipulation by the Court, the Stay proposed by the
24 parties shall be in effect for up to sixty (60) calendar days after the date on which this
25 Stipulation is filed by Plaintiffs, and while the Stay remains in effect, CAL shall have no
26 obligation to appear, answer or otherwise respond to the Complaint;
27

28

8. CAL shall file its answer or otherwise respond to the Complaint not later than twenty one (21) days following the date on which the Stay terminates; and

9. CAL reserves all rights, claims, and defenses in this action.

ORDER

Good cause appearing, IT IS SO ORDERED.

DATED and done this ____ day of _____, 2023.

UNITED STATES DISTRICT COURT JUDGE

[PARTY SIGNATURES FOLLOW]

Dated: September _____, 2023.

Dated: September 12, 2023.

CHRISTENSEN JAMES & MARTIN

CAL ELECTRO, INC.

By: _____
Laura J. Wolff, Esq.
Attorneys for Plaintiffs *Southern
Nevada Cement Masons Trusts*

By: E. Robert Meissner
E. Robert Meissner, President
Email: bobm@calelectronic.com
Cell: 530-510-0069

8. CAL shall file its answer or otherwise respond to the Complaint not later than twenty one (21) days following the date on which the Stay terminates; and

9. CAL reserves all rights, claims, and defenses in this action.

ORDER

Good cause appearing, IT IS SO ORDERED.

DATED and done this 22 day of September , 2023.

3.

UNITED STATES DISTRICT COURT JUDGE

[PARTY SIGNATURES FOLLOW]

Dated: September 20, 2023.

Dated: September _____, 2023.

CHRISTENSEN JAMES & MARTIN

CAL ELECTRO, INC.

Pv: Lena J. Wolff

By: 
Laura J. Wolff, Esq.
Attorneys for Plaintiffs *Southern
Nevada Cement Masons Trusts*

By: _____
E. Robert Meissner, President
Email: _____
Cell: 530-510-0069